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### **Remarks/Arguments**

Applicants respectfully request favorable reconsideration of the subject application, particularly in view of the above amendment and the following remarks. Applicants respectfully urge that there is no additional fee for the above amendment as the number of independent claims and the total number of claims remain unchanged.

Applicants have amended the specification as indicated herein above to correct obvious typographical errors. In particular, the term "sine" has been deleted and in its place the term --sign-- has been inserted. Similarly, the term "compariter" has been deleted and in its place the term --comparator-- has been inserted. In addition, Table 1 has been amended to indicate the units of measure of signal strength as being  $\mu V$ .

Applicants have amended Figs. 2 a and 2b to indicate that the units of the ordinate scale are in voltage and the units of the abscissa scale are "time periods", which correspond to window offsets. Applicants have amended Fig. 4 of the drawings to delete the misspelled word "compariter" and in its place insert the word "comparator".

Applicants have amended Claims 1 and 2 of the subject application to incorporate the limitations of Claim 11 with respect to the window offsets and the

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carrier phase being synchronous. As a result of this amendment, Claim 11 has been canceled. In addition, Applicants have amended Claim 7 of the subject application to delete the term "maximize" and in its place insert the term --minimize-- so as to be consistent with the specification as set forth at Page 9, lines 5-8.

Claims 1-11 are currently pending in the subject application. Claims 1-7 have been rejected and Claims 8-11 have been indicated to be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The drawings have been objected to because in Figs. 2a and 2b, the units for sum and trial offset have not been defined. In response to this objection, Applicants have amended Figs. 2a and 2b to indicate that the units for sum are in voltage and the units for trial offsets are time periods, which time periods correspond to the selected windows. Applicants respectfully urge that this amendment overcomes this objection.

The specification has been objected to because the term "sine" has been used in the specification where the context implies the use of the term "sign"; the term "compariter" has been misspelled; and no units have been provided in Table 1 for signal strength and signal strength without casing pT. In response, Applicants have amended the specification by replacing the term "sine" with the term --sign-- and by

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replacing the term “compariter” with the term --comparator—. In addition, Applicants have amended Table 1 to indicate that the units of signal strength are  $\mu\text{V}$ . Accordingly, Applicants respectfully urge that these amendments overcome the objections to the specification.

Claim 7 has been rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. In particular, the Examiner indicates that the claim contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. More particularly, the Examiner has indicated that the specification states that “the window offset and carrier phase are selected by choosing those which minimize the bit error rate” whereas Claim 7 indicates that “the window offset and carrier phase are selected by choosing those which maximize the bit error rate.” In response to this rejection, Applicants have amended Claim 7 by deleting the term “maximize” and in its place inserting the term --minimize--. Applicants respectfully urge that this amendment overcomes this rejection.

Claims 1 and 2 have been rejected under 35 U.S.C. 102(e) as being anticipated by De Gaudenzi et al., U.S. Patent 6,466,566 (hereinafter “the De Gaudenzi et al. patent”). Applicants respectfully urge that by virtue of the amendment

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of Claims 1 and 2 to incorporate all of the limitations of Claim 11, which claim the Examiner has indicated would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims, this rejection is rendered moot.

Claim 3 has been rejected under 35 U.S.C. 103(a) as being unpatentable over the De Gaudenzi et al. patent as applied to Claim 2 in view of Petranovich, U.S. Patent 5,625,652. Applicants respectfully urge that by virtue of the amendment of Claims 1 and 2 to incorporate all of the limitations of Claim 11, which claim the Examiner has indicated would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims, this rejection is rendered moot.

Claim 4 has been rejected under 35 U.S.C. 103(a) as being unpatentable over the De Gaudenzi et al. patent as applied to Claim 2 in view of Matsumoto, U.S. Patent 4,763,331. Applicants respectfully urge that by virtue of the amendment of Claims 1 and 2 to incorporate all of the limitations of Claim 11, which claim the Examiner has indicated would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims, this rejection is rendered moot.

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Claim 5 has been rejected under 35 U.S.C. 103(a) as being unpatentable over the De Gaudenzi et al. patent as applied to Claim 2 in view of Eastmond et al., U.S. Patent 6,088,337. Applicants respectfully urge that by virtue of the amendment of Claims 1 and 2 to incorporate all of the limitations of Claim 11, which claim the Examiner has indicated would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims, this rejection is rendered moot.

Claim 6 has been rejected under 35 U.S.C. 103(a) as being unpatentable over the De Gaudenzi et al. patent in view of Kumar, U.S. Patent 5,966,401. Applicants respectfully urge that by virtue of the amendment of Claims 1 and 2 to incorporate all of the limitations of Claim 11, which claim the Examiner has indicated would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims, this rejection is rendered moot.

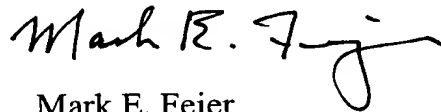
### **Conclusion**

Applicants intend to be fully responsive to the outstanding Office Action. If the Examiner detects any issue which the Examiner believes Applicants have not addressed in this response, Applicants urge the Examiner to contact the undersigned.

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Applicants sincerely believe that this patent application is now in condition for allowance and, thus, respectfully request early allowance.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Mark E. Fejer". The signature is fluid and cursive, with a large, stylized "F" and "j".

Mark E. Fejer  
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